

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	:	
	:	CRIMINAL ACTION
v.	:	
	:	NO. 04-10314-RCL
TAJH WHITE	:	

SENTENCING NOTICE

Comes now the United States of America, by Michael J. Sullivan, United States Attorney, and Theodore B. Heinrich, Assistant United States Attorney for the District of Massachusetts, and files this notice regarding the sentencing of the defendant. At the sentencing hearing on March 11, the parties will be jointly be recommending that the Court impose a sentence of 120 months.

The defendant is charged in the indictment with conspiring to distribute more than 5 kilograms of cocaine (Count One) and with possessing with intent to distribute more than 500 grams of cocaine (Count Three). The defendant pled guilty to both counts on November 15, 2007. There was no plea agreement. The defendant reserved his right to challenge both the quantity of cocaine attributable to him with respect to Count One and the consequent applicability of the 10 year mandatory minimum and higher guideline range.

The PSR determined that White was responsible for 25 kilograms of cocaine, resulting in a base offense level of 34. The PSR reduced the offense level by 3 levels for acceptance of responsibility, resulting in a total offense level of 31. The PSR

also determined the defendant had 6 criminal history points, resulting in a criminal history category of III. The resulting guideline range is 135-168 months.

The addendum to the PSR noted that defense counsel will ask the Court to hold an evidentiary hearing with respect to the drug weight. Subsequently, the parties engaged in discussions taking into account the strength of the evidence, the risk of a decision unfavorable to their respective position, and the sentencing factors to be considered pursuant to 18 U.S.C. 3553(a). Based on these considerations, the parties jointly recommend that the Court impose a sentence of 120 months. Although the reasons offered by the parties in support of the disposition overlap, they are not identical, and not well-suited to a joint pleading.

Accordingly, the government hereby notifies the Court that an evidentiary hearing will not be required and that the parties will jointly recommend that the Court impose a sentence of imprisonment for a term of 120 months, for reasons to be further discussed at the sentencing hearing.

Respectfully submitted,

MICHAEL J. SULLIVAN
UNITED STATES ATTORNEY

/s/ Theodore B. Heinrich
THEODORE B. HEINRICH
ASSISTANT UNITED STATES ATTORNEY

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Theodore B. Heinrich
Theodore B. Heinrich
Assistant U.S. Attorney

March 7, 2008